

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY

## PATENT APPLICATION

### TRANSMITTAL

Attorney Docket No. X-12448

First Named Inventor or Application Identifier

Charles Jack Fisher, et al.

Express Mail Label No.

EL041988283US

#### Application Elements

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (Submit an original, and a duplicate for fee processing)

6. ☐ Microfiche Computer Program (Appendix)

2. ☒ Specification [Total 22] Pages  
(preferred arrangement set forth below)

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

#### Abstract of the Disclosure

#### ACCOMPANYING APPLICATION PARTS

☐ Drawing(s) (35 USC 113) [Total Sheets ☐

8. ☒ Assignment Papers (cover sheet & document(s))

☐ Oath or Declaration [Total Pages ☐

9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney

a. ☒ Newly executed (original or copy)

10. ☐ English Translation Document (if applicable)

b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]

11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations

i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

12. ☐ Preliminary Amendment

5. ☐ Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. ☐ Small Entity Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☐ Other: XXX

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_/

#### 18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

(Insert Customer No. Or Attach bar code label here)

or

Correspondence address below

NAME Lynn D. Apelgren

Eli Lilly and Company

ADDRESS Lilly Corporate Center

Patent Division DC: 1501

CITY Indianapolis

STATE Indiana

ZIP CODE 46285

COUNTRY U.S.A.

TELEPHONE 317-276-6501

FAX 317-276-5172

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Date of Deposit Dec 10, 1999

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Printed Name

Signature

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PTO/SB/17 (12/97)

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**FEE TRANSMITTAL**

Note: Effective November 10, 1997.

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$878.00**Complete if Known****Application Number****Filing Date****First Named Inventor**

Charles Jack Fisher, et al.

**Group Art Unit****Examiner Name****Attorney Docket Number**

X-12448

**METHOD OF PAYMENT (check one)****FEE CALCULATION (continued)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

05-0840

Deposit  
Account Name

Eli Lilly and Company

Charge Any  
Additional Fee  
Required Under  
37 CFR 1.16 and  
1.17Charge the Issue Fee Set  
in 37 CFR 1.18 at the  
Mailing of the Notice of  
Allowance2. ☐

Payment Enclosed:



Check

Money  
Order

Other

**FEE CALCULATION****1. FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	760
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)** (\$760.00**2. CLAIMS**

Total Claims	Extra	Fee from below	Fee Paid
20	-20=	18	0
Independent Claims	4	-3=	78
Multiple Dependent Claims		260	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$78.00**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive-unavoidable	
141	1,210	241	605	Petition to revive- unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design Issue Fee	
144	580	244	290	Plant Issue Fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$40.00**SUBMITTED BY**Typed or  
Printed Name

Lynn D. Apeltgren

Signature

*Lynn D. Apeltgren***Complete (if applicable)**

Reg. Number

P45,341

Date

12/10/99

"Express Mail" mailing label number

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Date of Deposit

Dec 10, 1999

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*Green*

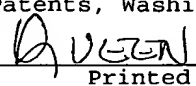

Signature

*Thomas**Green Thomas*

DA C

#4

12/07/00 JC490 U.S. PTO

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Date of Deposit	12-7-00	
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 Printed Name	 Signature	RECEIVED DEC 11 2000 TECH CENTER 1600/2900

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	:	Charles Jack Fisher et al.	)	
			)	
Serial No.	:	09/458,905	)	
			)	Group Art Unit:
Filed	:	December 10, 1999	)	1652
			)	
For	:	METHOD OF TREATING	)	Examiner:
		THROMBOCYTOPENIC PURPURA AND	)	M. Rao
		HEMOLYTIC UREMIC SYNDROME	)	
			)	
Docket No.	:	X-12448	)	

**PETITION TO REVIVE UNDER 37 C.F.R. §1.137(b)**

Assistant Commissioner for Patents  
 Attention: Petition Attorneys  
 Washington, D.C. 20231

**RECEIVED**  
 MAY 22 2001

**RECEIVED**  
 19 APR 2001  
 Legal Staff  
 International Division

Sir:

**OFFICE OF PETITIONS  
 DEPUTY A/C PATENTS**

The above-identified application was abandoned for failure to prosecute. Applicants respectfully state that the entire delay in filing the reply from the due date for the reply until the filing of this petition was unintentional and petition that the application be revived and reinstated as a pending application.

A continuation application and fee transmittal accompany this petition.

Serial No. 09/458,905

An original and two copies of this paper are enclosed.

Applicants request favorable action on this petition.

Respectfully submitted,

*Brian P. Barrett*

Brian P. Barrett  
Attorney for Applicants  
Registration No. 39,597  
Phone: 317-276-7243

Eli Lilly and Company  
Patent Division/BPB  
Lilly Corporate Center  
Indianapolis, Indiana 46285

December 7, 2000

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